UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,864	10/10/2001	John R. Hind	RSW920010123US1	7060

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EXAMINER
PHAM, KHANH B

ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/973,864	Applicant(s) HIND ET AL.
	Examiner Khanh B. Pham	Art Unit 2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 June 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-39</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-39</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The amendment filed June 29, 2004 has been entered. Claims 1-5, 12, 15-16

have been amended. Claims 17-39 have been added. Claims 1-39 are pending in this

Office Action.

2. The proposed drawing correction of Fig. 8 has been accepted by the examiner.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   **Claims 1-39** are rejected under 35 U.S.C. 102(e) as being anticipated by Gasser

(US 6,636,250 B1), hereinafter "Gasser"

        As per claim 1, Gasser teaches a method for providing a relational view of

electronic objects (Col. 12 lines 15-20 and Fig. 113) comprising step of:

- "obtaining organizing rules for organizing electronic objects according to

  relationships" at Col. 17, lines 50-57 and Fig. 3;

- "applying the obtained organizing rules against a plurality of electronic objects,

  yielding organized electronic objects" at Col. 18, lines 35-49;

- "rendering a view of the organized electronic objects" at Col. 18 lines 49-55 and

  Fig. 4.

As per claim 2, Gasser teaches the method according to claim 1, wherein "the

view comprises a hierarchical view" at Figs. 4.

As per claim 3, Gasser teaches the method according to claim 1, wherein "the

view comprises a nodal view" at Fig. 4.

As per claim 4, Gasser teaches the method according to claim 1, wherein "the

view comprise a network view" at Figs. 1, 4

As per claim 5, Gasser teaches the method according to claim 1, wherein "the

view comprises a visual view" at Figs. 4-8.

As per claim 6, Gasser teaches the method according to claim 1, wherein "the

electronic objects comprise at least one of e-mail messages, textual documents, and

image files" at Col. 15 lines 25-35 and Figs. 4-8.

As per claim 7, Gasser teaches the method according to claim 1, wherein "the

organizing rules specify node-specific organizing criteria for multi-level index" at Col. 17

line 50 to Col. 18 line 32.

As per claim 8, Gasser teaches the method according to claim 1, further

comprising "the step of repeating operation of the applying step and the rendering step

upon occurrence of a new electronic object" at Figs. 3-8.

As per claim 9, Gasser teaches the method according to claim 1, further

comprising "the step of repeating operation of the applying step and the rendering step

upon modification of the organizing rules" at Figs. 3-8.

As per claim 10, Gasser teaches the method according to claim 1, further comprising the step of "repeating operation of the applying step and the rendering step upon request of a user" at Col. 17 lines 50-57.

As per claim 11, Gasser teaches the method according to claim 1, wherein "the organizing rules specify one or more of text characters, text words, and text phrases as organizing criteria" at Fig. 3.

As per claim 12, Gasser teaches the method according to claim 1, wherein "the organizing rules specify one or more images as organizing criteria" at Fig. 3.

As per claim 13, Gasser teaches the method according to claim 1, further comprising "the step of defining the organizing rules, further comprising the step of: retrieving a selection of categories; enabling a user to select one or more of the retrieved categories; and for each selected category, enabling the user to build at least one rule" at Col. 17 line 50 to Col. 18 line 50 and Fig. 3.

As per claim 14, Gasser teaches the method according to claim 13, wherein "the step of enabling the user to build at least one rule further comprises the steps of: "retrieving a selection of organizing criteria; enabling the user to select one or more of the retrieved organizing criteria; and formatting a particular rule from the selected retrieved organizing criteria" at Col. 17 line 50 to Col. 18 line 50.

As per claim 15, 16, Gasser teaches a system and computer program product for providing a relational view of electronic objects (Col. 12 lines 15-20) , comprising:

- "a plurality of organizing rules for organizing electronic objects according to relationships, wherein the organizing rules specify node-specific organizing

criteria for node at levels of a multi-level index" at Col. 17 line 50 to Col. 18 line

32;

• "means for applying the organizing rules against a plurality of electronic objects,

yielding electronic objects organized according to the multi-level index" at Col. 18

lines 22-49;

• "means for rendering a view of the organized electronic objects" at Col. 18 lines

49-55.

As per claim 17, Gasser teaches the method according to claim 1, wherein "the

relationships are dynamically selectable by a user" at Col. 17 lines 50-55.

As per claim 18, Gasser teaches the method according to claim 1, wherein "the

relationships are dynamically definable by a user" at Col. 18 lines 8-20.

As per claim 19, Gasser teaches the method according to claim 1, wherein "the

rendered view comprises a multi-level structure that visually represents the

relationships" at Fig. 4.

As per claim 20, Gasser teaches the method according to claim 19, wherein "the

organizing rules for at least two levels of the multi-level structure are different" at Figs.

4-8.

As per claim 21, Gasser teaches the method according to claim 1, further

comprising the steps of: "retrieving, responsive to a user indication of intent to define a

new rule, a selection of organizing criteria; enabling the user to select one or more of

the retrieved organizing criteria; formatting the new rule from the selected organizing

criteria" at Col. 17 line 50 to Col. 18 line 55.

As per claim 22, Gasser teaches the method according to claim 1, wherein "the

rules are rules of inclusion" at Col. 27 lines 15-35.

As per claim 23, Gasser teaches the method according to claim 1, wherein "the

rule are rules of exclusion" at Col. 28 lines 48-65.

As per claim 24, Gasser teaches the method according to claim 1, further

comprising "the step of re-applying the organizing rules and refreshing the rendered

view to reflect a result of the re-applying upon occurrence of a predetermined event" at

Figs. 3-8.

As per claim 25, Gasser teaches the method according to claim 24, wherein "the

predetermined event is expiration of a timer" at Figs. 3-8.

As per claim 26, Gasser teaches the system according to claim 15, wherein "the

rendered view comprise a multi-level structure that visually represents results of

organizing the electronic object using the node-specific organizing criteria of the multi-

level index" at Figs. 4-8.

As per claim 27, Gasser teaches the system according to claim 15, wherein "the

node-specific organizing criteria of two or more organizing nodes at a particular level of

the multi-level index are different" at Fig. 4.

As per claim 28, Gasser teaches the system according to claim 15, wherein "the

rendered view comprises a multi-level structure; and the objects rendered for at least

one level of the multi-level structure are of different types" at Figs. 4-8.

As per claim 29, Gasser teaches the system according to claim 15, wherein "the

organizing rules specify one or more bitmaps as organizing criteria" at Fig. 3.

As per claim 30, Gasser teaches the system according to claim 15, further comprising "means for enabling a user to specify how nodes at selected levels of the multi-level index are initially rendered" at Col. 20 lines 9-40.

As per claim 31, Gasser teaches the system according to claim, further comprising "means for enabling a user to specify one or more locations at which the plurality of electronic object are located" at Figs. 3-8.

As per claim 32, Gasser teaches the system according to claim 15, further comprising "means for re-applying the organizing rules and refreshing the rendered view to reflect a result of the re-applying upon detecting a newly-created electronic object" at Col. 28, lines 35-65.

As per claim 33, teaches the system according to claim 15, further comprising "means for re-applying the organizing rules and refreshing the rendered view to reflect a result of the re-applying upon detecting a newly-arriving electronic object" at Col. 28 lines 35-65.

As per claim 34, Gasser teaches the computer program product according to claim 16, wherein "the rendered view comprises a multi-level structure that visually represents relationship among the organized object" at Figs. 4-8.

As per claim 35, Gasser teaches the computer program product according to claim 34, wherein "each non-terminal level of the multi-level structure comprises at least one organizing node; and child nodes of each organizing node satisfy the node-specific organizing criteria of that organizing node" at Figs. 4-8.

As per claim 36, Gasser teaches the computer program product according to claim 35, wherein "the node-specific organizing criteria of two or more organizing nodes at a particular level of the multi-level structure are different" at Figs. 4-8.

As per claim 37, Gasser teaches the computer program product according to claim 35, wherein "the child nodes of at least organizing node are of different types" at Figs. 4-8.

As per claim 38, Gasser teaches the computer program product according to claim 16, further comprising "computer readable code means for re-applying the organizing rules and refreshing the rendered view to reflect a result of the re-applying upon detecting a modification to one or more of the organizing rules" at Col. 18 lines 22-32.

As per claim 39, Gasser teaches the computer program product according to claim 16, wherein "the relationships are dynamically selectable by a user" at Col. 17 lines 50-57.

Response to Arguments

4.   Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

                                        Khanh B. Pham
                                        Examiner
                                        Art Unit 2167

KBP
April 20, 2005